

TUITION FEE REFUND POLICY: CCSC; EDUCATION

Version	4.00	Number of pages	7
Responsible officer	Vice-Principal (Students and Community)		
Contact	Director of Student Service, Andre Kurniawan andrek@morling.edu.au		
Approving Authority	Academic Board		
Keywords	Tuition; Tuition Fee Refund; TFR; FEE-HELP; Student; International counselling student; Fees; Refund; Rebate; Education; CCSC; Re-crediting; Census date; Enrolment variation; Compassionate withdrawal; Special circumstances		
Access level <i>Select from the drop-down menu</i>	Public		
Dissemination Range	CCSC staff and students; Education staff and students; DSS staff		
Approval date	7 February 2024		
Effective date	7 February 2024		
Review date	February 2027		
Superseded documents	Refund of Tuition Fees Policy Overseas Counselling V2.01 2020		
Compliance References	HES_1.1.2.c; HES_7.2.2.c and d; National Code_2.1.7		
Document classification <i>Select from the drop-down menu</i>	Student Services and Administration		

1. PURPOSE

To define the circumstances in which a student at Morling College in the faculty of Education and the faculty of Counselling; and Chaplaincy and Spiritual Care (CCSC) may be granted a Tuition Fee Refund (TFR) and/or a re-crediting of FEE-HELP Debt for a unit.

2. DEFINITIONS

The following definitions apply for the purpose of this policy:

Key Term or Acronym	Definition
AAT	Administrative Appeals Tribunal
CCSC	The faculty of Counselling, Chaplaincy and Spiritual Care, including Professional Supervision
Census date	The point at which a student's enrolment in a course becomes effective and they become financially liable for the course.
CW	Compassionate withdrawal
DSS	Director of Student Services
ESOS Act	Educational Services for Overseas Students Act 2000

FEE-HELP	Fee Paying Higher Education Loan Program. An Australian Government loan scheme that assists eligible fee-paying students to pay all or part of their tuition fees
MC	Morling College
National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018
Overseas student	Students studying in Australia on a student visa
Tuition fee	A fee paid by a candidate (with or without FEE-HELP) to cover the cost of tuition, covering registration, administration, supervision, and examination fees
TFR	Tuition Fee Refund
Tuition fee refund	A general term referring to a <ul style="list-style-type: none"> • re-credit a FEE-HELP balance, and • remit a FEE-HELP debt, or • refund or reverse of tuition fees.
TPS	Tuition Protection Service
Unit	A block of study in a particular field.
VP(A)	Vice-Principal (Academic)

3. SCOPE

This policy applies to all students, including overseas students, enrolled in a Morling College course in the faculty of Education and the faculty of CCSC.

4. POLICY STATEMENT

Morling College undertakes to refund tuition fees and arrange the re-crediting of FEE-HELP debt according to the rules of the *Higher Education Provider (HEP) Guidelines* under the *Higher Education Support Act 2003*, the *Educational Services for Overseas Students Act 2000 (ESOS Act)* and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)*.

5. PRINCIPLES

- 5.1 After enrolment, all students will be subject to the provisions of the *Variation to Enrolment Policy: EDU*; CCSC as it relates to withdrawing from units and courses and the consequences according to the time in a study period that the action occurs.
- 5.2 When an overseas student does not start the course on the agreed starting date and has not previously withdrawn, any paid tuition fees will be refunded.
- 5.3 If a student withdraws from a unit prior to or on the census date, there is no financial liability. If the associated tuition fee has been paid, it will be refunded automatically when the *Enrolment Variation Form* is processed.
- 5.4 MC may refund tuition fees or a unit(s) of study where student withdraws after the census date, or has not completed the requirements for the unit(s), where there are deemed to be *Special Circumstances*.

- 5.5 MC will include in the written agreement for overseas students the information, as required by the ESOS Act, in relation to refunds of tuition fees and non-tuition fees in the case of student default and provider default.

Special Circumstances TFR

- 5.6 If a Tuition Fee Refund (TFR) is granted,
- 5.6.1 The student will receive a CW (Compassionate Withdrawal) grade, rather than a F (Fail) or FW (Fail late withdrawal), and
 - 5.6.2 The student's fee-refund and/or re-credit of FEE-HELP will be processed.
- 5.7 It is the student's responsibility to apply for a TFR. Failure to do so will result in the usual penalties being applied for failing to fulfil the requirements of the unit.
- 5.8 A denial of a TFR means the student is ineligible for a tuition fee refund, or a re-crediting of FEE-HELP debt.

Eligibility

- 5.9 For a student to be granted a TFR there must be substantiated *Special Circumstances*.
- 5.10 Special Circumstances are defined as those situations which
- 5.10.1 are beyond the student's control, i.e. a situation occurs which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible, and
 - 5.10.2 made their full impact on or after the census date (but within the study period), i.e. your circumstances occurred
 - (i) before the census date, but worsened after that day, or
 - (ii) before the census date, but the full effect or magnitude did not become apparent until on or after that day, or
 - (iii) on or after the census date, and
 - 5.10.3 made it impracticable for the student to complete or pass the unit, i.e.
 - (i) undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet your compulsory course requirements, or
 - (ii) complete the required assessable work, or
 - (iii) sit the required examinations or complete any other course requirements, and
 - 5.10.4 are unusual, uncommon, and abnormal.

- 5.11 Circumstances which may make it impracticable to complete include:
- 5.11.1 Medical circumstance i.e., where your medical condition existed prior to the census date, continued past that date, and deteriorated to the extent that you are unable to continue your studies OR your medical condition only became known after the census date.
 - 5.11.2 Family circumstance i.e., due to unforeseen family reasons that are beyond your control you are unable to continue with your studies.
 - 5.11.3 Personal circumstance i.e., due to unforeseen personal reasons that are beyond your control you are unable to continue with your studies.
 - 5.11.4 Employment related circumstances i.e., where your employment status or employment arrangements change unexpectedly due to circumstances beyond your control and you are unable to complete your studies.
 - 5.11.5 Course of study related circumstance i.e., where your institution changes the arrangements for your unit or course and as a result you are disadvantaged to the extent that you are unable to complete the requirements of the course and continue with your studies.
- 5.12 Under normal circumstances, a student is ineligible for a TFR if they have been granted a Deferral of Assessment and do not complete their assessment within the terms of the deferral. See the *Special Circumstances Policy: EDU CCSC*.
- 5.13 A student is ineligible for any refund if they successfully completed the unit (i.e., they passed).

Applications

- 5.14 An application should be made as soon as possible, ideally by the Friday of the final week of the semester. The student must apply in writing, within twelve (12) months of the withdrawal date, or if the student has not withdrawn, within twelve (12) months of the end of the period of study in which the unit of study was or was to be undertaken. MC can exercise its discretion to waive this requirement if it is satisfied that the application could not be made within the time limit.
- 5.15 Each application will be examined and determined on its merits.
- 5.16 The Director of Student Services (DSS) has the authority to approve a student's application for TFR, in consultation with the relevant Faculty Dean.
- 5.17 If an application for TFR is approved, the refund of tuition fees and/or the re-credit of FEE-HELP debt will be processed automatically.

Appeal

- 5.18 Where a student is not satisfied with the decision made by the DSS, they may appeal according to the *Tuition Fee Refund Procedure*.
- 5.19 The time limit for applying for a review is 28 days from the student receiving notice of the decision. The student must state their reasons for applying for a review. MC reserves the right not to consider applications received after 28 days.
- 5.20 A decision on the appeal will be considered and notified to the student within 14 days of receipt of the appeal.
- 5.21 Domestic students have the right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the internal appeal decision. The student may supply additional information to the AAT that he or she did not previously supply in the application and/or appeal.
- 5.22 Overseas students have the right to appeal to the Commonwealth Ombudsman for a review of the internal appeal decision. The student may supply additional information to the Ombudsman that he or she did not previously supply in the application and/or appeal.

Provider Default

- 5.23 MC defaults if it:
 - 5.23.1 Can't deliver the course on the agreed starting day, or
 - 5.23.2 Can't continue to deliver the course after the agreed starting day and before the ending day.
- 5.24 Should MC default it will, within 3 days of the default occurring, notify students and report the default in PRISMS if applicable.
- 5.25 Should MC default it will, within 14 days:
 - 5.25.1 Arrange for students to be offered a place in a suitable replacement unit or course (domestic students), or
 - 5.25.2 Offer students a place in an alternative course that is acceptable at no additional expense to the student (overseas students), or
 - 5.25.3 Provide students with a refund of any up-front payments made against the affected unit(s) or re-credit HELP balances and cancel students' HELP debt for any HECS-HELP or FEE-HELP loan(s) used to pay for the affected unit(s).
- 5.26 Unless there a no suitable replacement units or courses, domestic students may choose between continuing study or receiving a refund.
- 5.27 Should MC not be able to fulfil the above default obligations, all students are included in the Tuition Protection Service (TPS),
<https://www.education.gov.au/tps>.

6. RELATED DOCUMENTS AND LEGISLATION

Internal

- Special Circumstance Policy EDU CCSC
- Student Support Policy
- Tuition Fee Refund Procedure CCSC EDU
- Variation to Enrolment Policy EDU CCSC

External

- Educational Services for Overseas Students Act 2000 (ESOS Act)
- Higher Education Provider (HEP) Guidelines
- Higher Education Standards Framework (Threshold Standards) 2021
- Higher Education Support Act 2003
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)

7. REFERENCES

ACT Refund Policy for Overseas Students

ACT Tuition Fee Refund Policy

Macquarie University Guidelines for Applying for Remission/Refund/Reversal of Fees in Special Circumstances

8. VERSION HISTORY

Version	Approved by	Approval Date	Effective Date	Changes made
4.00	Academic Board	7 February 2024	7 February 2024	<i>Refund of Tuition Fees Policy Overseas Counselling V2.01 2020</i> superseded and incorporated into this policy. Procedural elements of the former policy transferred to new procedure document.
3.01	Policy Coordinator	Feb 2023	Feb 2023	Header table updated to latest version, including addition of keywords. Updated responsible officer and contact.
3.00	Academic Board	10 November 2021	10 November 2021	Changed name of policy and substituted the term Compassionate Withdrawal with Tuition Fee Refund throughout. Changed Responsible Body from MC Board to Academic Board. Amended Policy statement. Changes to reflect changes in structure and responsibilities. 2. Definitions: removed Withdrawal Date; added CW, DSS, FEE-HELP, Tuition fee, Tuition fee refund, Unit. 3. Added reference to policy for

				Overseas Counselling students. Expanded explanations in 5.5 Clarifying the application of the 12 month deadline for submission. 5.6 Submission to the faculty online form. 5.6 submission to the faculty online form. 5.14 Added MC reserves the right not to consider applications received after 28 days.
2	MC Board	20 November 2018	20 November 2018	Nil
2	Academic Board	17 October 2018		Added 5.3 re eligibility. Inserted 'independent' in 5.8 to align with ACT policy. 5.10 Replaced Academic Dean with Faculty Dean. Eliminated the need to apply separately for a refund of tuition fees and/or re-crediting of FEE-HELP debt (5.11). Added appeal to the AAT (5.17). Streamlined and formatted into the new template.
1	Academic Board	December 2017	December 2017	

Download this policy anew with each use, as it may have changed.